

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

WILLIAM P.,

No. 6:18-cv-00444-HZ

Plaintiff,

ORDER

v.

COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

HERNÁNDEZ, District Judge:

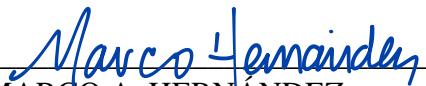
Plaintiff William P. brought this action seeking review of the Commissioner's final decision to deny Supplemental Security Income and Disability Insurance Benefits. On November 1, 2019, the Court reversed the Commissioner's decision and ordered that the case be remanded for additional proceedings. Op. & Order, ECF 20. Judgment was entered on November 13, 2019. ECF 21. On February 23, 2021, Defendant sent Plaintiff a notice of award for benefits. Pl. Mot. Ex. 3, ECF 25-3.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Pl. Mot., ECF 25. Defendant has no objection to the request. *Id.* The Court has reviewed the record in the case, the motion, and the supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

The Court GRANTS Plaintiff's Unopposed Motion for Attorney's Fees [25] and awards Plaintiff's counsel \$7,818.84 in attorney's fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff attorney's fees in the amount of \$2,490.63 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. Upon payment of the § 406(b) fees, Plaintiff's counsel will refund any EAJA fees received by counsel to Plaintiff. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff.

IT IS SO ORDERED.

DATED: June 23, 2021.

  
MARCO A. HERNÁNDEZ  
United States District Judge